

ELECTRONICALLY FILED

October 9, 2007

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*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: ) BK-S-06-10725-LBR  
USA COMMERCIAL MORTGAGE COMPANY ) Chapter 11  
Debtor )

In re: ) BK-S-06-10726-LBR  
USA CAPITAL REALTY ADVISORS, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10727-LBR  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10728-LBR  
USA CAPITAL FIRST TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10729-LBR  
USA SECURITIES, LLC, ) Chapter 11  
Debtor. )

Affects )

☐ All Debtors )☐ USA Commercial Mortgage Co. )☐ USA Securities, LLC )☐ USA Capital Realty Advisors, LLC )☐ USA Capital Diversified Trust Deed )☒ USA Capital First Trust Deed Fund, LLC )

DATE: September 28, 2007  
TIME: 1:30 p.m.

**NOTICE OF ENTRY OF ORDER SUSTAINING OBJECTION OF USACM TRUST TO  
ANDREW AND BETH MITCHELL CLAIMS FILED IN WRONG DEBTOR'S CASE;  
OBJECTION OF FTDF TO PROPOSED ALLOWANCE OF CLAIM**

PLEASE TAKE NOTICE that an Order Sustaining Objection of USACM Trust to Andrew  
and Beth Mitchell Claims Filed in Wrong Debtor's Case; Objection of FTDF to Proposed

1 Allowance of Claim was entered on the 2<sup>nd</sup> day of October, 2007, a true and correct copy of  
2 which is attached hereto.

3 DATED this 9<sup>th</sup> day of October, 2007.  
4

5 SHEA & CARLYON, LTD.

6 

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Case: 06-10725-lbr

Doc #: 4919

Filed: 10/02/2007

Page: 1 of 3



Entered on Docket  
October 02, 2007

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust  
To Andrew and Beth Mitchell Claims Filed in  
Wrong Debtor's Case; Objection of FTDF to  
Proposed Allowance of Claim**

Hearing Date: September 28  
Hearing Time: 1:30 p.m.


1 The Court having considered the Objection of USACM Trust To Andrew and Beth  
2 Mitchell Claims Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of  
3 Claim (the "Objection") [Docket No. 4432]; appearances having been noted on the record;  
4 adequate notice of the Objection having been given; there having been no response filed to the  
5 Objection; and for good cause appearing:

6  
7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim Nos. 10725-  
8 01120, 10725-01121, and 10725-01144 are disallowed against the estates and in the cases of  
9 USACM and FTDF.

10 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by the  
11 Mitchells (as defined in the Objection) in these jointly-administered bankruptcy proceedings.

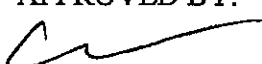
12  
13 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
14 of the Mitchells' equity interests in FTDF as reflected in both FTDF's books and records and in  
15 the proofs of interest filed by the Mitchells in FTDF, which interests are in the respective amounts  
16 of \$59,733, \$17,916 and \$17,916.

17 SUBMITTED BY:

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20 SUSAN M. FREEMAN  
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25 *Counsel for USACM Liquidating Trust*  
26

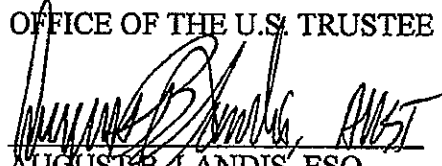
APPROVED BY:

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Approved  
~~REVIEWED:~~

OFFICE OF THE U.S. TRUSTEE

  
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